

AO 245E

(Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants
Sheet 1

UNITED STATES DISTRICT COURT

Eastern District District of Pennsylvania

UNITED STATES OF AMERICA
V.**FILED****JUDGMENT IN A CRIMINAL CASE**
(For Organizational Defendants)

TAMINCO US, INC.

DEC -1 2015

CASE NUMBER:

DPAE2:15CR00513-001

By MICHAEL E. KUNZ, Clerk Nathan J. Andrisani
Dep. Clerk Defendant Organization's Attorney**THE DEFENDANT ORGANIZATION:**

- ☒ pleaded guilty to count(s) One, Two, Three, Four, Five, and Six
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☐ was found guilty on count(s) _____
after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 USC 842(a)(9), (c)(2)(A)	Failure to id customer of regulated transaction	03/2010	1, 2, & 3
21 USC 842(a)(9), (a)(10)	Failure to id customer and failure to report missing	06/2010	4, 5, & 6

The defendant organization is sentenced as provided in pages 2 through 6 of this judgment.

- ☐ The defendant organization has been found not guilty on count(s) _____
- ☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's

Federal Employer I.D. No.: 51-0599329

Defendant Organization's Principal Business Address:

Two Windsor Plaza, Suite 4117540 Windsor DriveAllentown, Pennsylvania 18195

Defendant Organization's Mailing Address:

Attn: Nathan Andrisani, Morgan, Lewis & Bockius, LLP1701 Market StreetPhiladelphia, PA 19103-292111/20/2015

Date of Imposition of Judgment

Signature of Judge

Edward G. Smith, U.S. District Judge

Name and Title of Judge

11/30/2015

Date

DEFENDANT ORGANIZATION: Taminco US, Inc.
CASE NUMBER: DPAE2:15CR00513-001

CRIMINAL MONETARY PENALTIES

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 750.00	\$ 650,000.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS \$ _____ \$ _____

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT ORGANIZATION: Taminco US, Inc.
CASE NUMBER: DP AE2:15CR00513-001

ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

Defendant shall pay a financial penalty of \$860,374.00, of which \$650,000.00 will be applied as a criminal fine, and an additional \$210,374.00 will be forfeited as substitute assets to satisfy the forfeiture obligation. Defendant will pay these amounts within 10 business days of the date of sentencing. Defendant will make payment of the forfeiture obligation to the United States by means of wire transfer or check to the United States Marshals Service.

DEFENDANT ORGANIZATION: Taminco US, Inc.
CASE NUMBER: DPAE2:15CR00513-001

SCHEDULE OF PAYMENTS

Having assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance with ☐ C or ☐ D below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C or ☒ D below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☒ Special instructions regarding the payment of criminal monetary penalties:

Defendant shall pay a financial penalty of \$860,374.00, of which \$650,000.00 will be applied as a criminal fine, and an additional \$210,374.00 will be forfeited as substitute assets to satisfy the forfeiture obligation. Defendant will pay these amounts within 10 business days of the date of sentencing. Defendant will make payment of the forfeiture obligation to the United States by means of wire transfer or check to the United States Marshals Service. Additionally, Defendant shall pay the special assessment in the amount of \$750.00 on the date of sentencing.

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant organization shall pay the cost of prosecution.
- ☐ The defendant organization shall pay the following court cost(s):
- ☒ The defendant organization shall forfeit the defendant organization's interest in the following property to the United States: \$210,374.00 will be forfeited as substitute assets to satisfy the forfeiture obligation.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.